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PATTON BOGGS LLP			TRUONG, CAM Y T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/690,344	Applicant(s) KOBZA ET AL.	
	Examiner Cam Y T. Truong	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 and 41-47 is/are pending in the application.
- 4a) Of the above claim(s) 24-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23, 41-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant has amended claims 1 and 41 and withdrawn 35-40 in the amendment filed on 5/2/2007.

Claims 1-34 and 41-47 are pending in this Office Action.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-23 and 41-47 are drawn to a secure web portal for classification of users classified in class 726, subclass 4.
- II. Claims 24-34 is drawn to updating document library classified in class 707 subclass 200.

3. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, a secure web portal for classification of users in invention I can be used to manage the public involvement project. Updating document library in invention II can be used to message boards and web conferencing. See MPEP § 806.05(d).

4. The inventions are distinct, each from the other because of the following reasons:

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

5. Applicants are advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

8. During a telephone conversation with Attorney Michael Frank on 8/17/2007 a provisional election was made with traverse to prosecute the invention of group I, claims 1-23, 41-47. Affirmation of this election must be made by applicant in replying to this Office action. Claims 24-34 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Response to Arguments

9. Applicant's arguments with respect to claims 1-23 and 41-47 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 1-23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Added limitation “ a first classification of users not acting in a capacity associated with managing the public involvement project and for a second classification of users acting in a capacity associated with managing the public involvement project” in claim 1, lines 4-8 was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-6, 8-14, 16-23, 41, 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter "Nicastro") (US 2004/0015367) in view of Rosnow et al (or hereinafter "Rosnow") (US 2003/0106039).

As to claim 1, Nicastro teaches the claimed limitations:

"a server computer operatively connected to a network" as server 1020 is a server program in a computer in a distributed network (paragraph [0098]);

"for a first classification of users not acting in a capacity associated with managing the public involvement project to remotely access the server computer over the network" as project Partners as a first classification of users can include suppliers, vendors, contractors, designers, and consultants who have different levels of access to specifications and receive information about, and respond to information on, the Property or Project in a server (paragraph 302, 0088, fig. 7A). The project partners is not indicated as users not acting in a capacity associated with managing the public classification of users;

"an access for a second classification of users acting in a capacity associated with managing the public involvement project to access the server computer" as (fig. 3A, paragraphs [0100, 0098]);

“ a communications manager application having an information module” as [paragraphs [0098, 0095, 0318)];

“site management tools module” as (paragraph [0292, 0293]);

“a project team tools module” as (paragraph [0228, 0229]);

“a communications tools module” as (paragraph [0231, 0232]);

“wherein the server computer provides access, following authentication, by the first classification of users and the second classification of users to one or more of the information module, the project team tools module, the communications tools module, and the site management tools module” as (paragraph [0100], fig. 3A).

Nicastro does not explicitly teach the claimed limitation “a secure web portal, not acting in a capacity associated with managing the public involvement project”.

Rosnow teaches a secure web portal for users are only permitted to create, edit, and view projects for a project in their respective division. A special group of users e.g., upper management, are allowed to view all projects across all divisions (fig. 6, paragraph 234).

For the above reason, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rosnow teaches a secure web portal for users are only permitted to create, edit, and view projects for a project in their respective division. A special group of users e.g., upper management, are allowed to view all projects across all divisions to Nicastro’s system in order to control communication among users without time-conflicted for enhancements and improvements in a functions, applications, tools, systems, and other solutions that

respond to the circumstances associated with work groups and their work, control the access of the client to the system resources after the system sorts the users access by the information entered at an authentication screen.

As to claim 2, Nicastro teaches the claimed limitation “wherein the information module provides one or more of project overview, recent project changes, and project status” as (paragraph [0315]).

As to claim 3, Nicastro teaches the claimed limitation “at least one software interface for receiving public comments” as (paragraph [0340]).

As to claim 4, Nicastro teaches the claimed limitation “wherein the at least one software interface comprises: a first sub-interface for creating and submitting authenticating an individual” as (paragraph [0258]); and “a second sub-interface for receiving information about the individual” as (fig. 1)

As to claim 5, Nicastro teaches the claimed limitation “wherein the first and second interfaces are presented to the individual in a seamless manner” as (fig. 1, paragraph [0258]).

As to claim 6, Nicastro teaches the claimed limitation “wherein the project team tools module provides one or more of a task manager, related links, a project calendar, an image manager, a document library, a project showcase, a directory, a listing of team members, and electronic communications with team members” as (paragraph [0229]).

As to claim 8, Nicastro teaches the claimed limitation “wherein the site management tools module provides one or more of site maintenance, survey maintenance, web trend tools, survey reports, public comment and public comment reports” as (paragraph [0292, 0293]).

As to claim 9, Nicastro teaches the claimed limitation “ a backend software interface for interactions with team members, the backend interface comprising: an option for uploading documents and an option for filtering public submissions” as (fig. 7A), “an option for one or more of sorting and searching public submissions and documents in accordance with a specified search criteria” as (paragraph [0320, 0321]).

As to claim 10, Nicastro teaches the claimed limitation “wherein the site management tools module include screening public submission to identify presence of inappropriate subject matter” as (paragraph [0276]).

As to claim 11, Nicastro teaches the claimed limitation “wherein the identified inappropriate subject matter is sequestered for detailed review” as (paragraph [0276]).

As to claim 12, Nicastro teaches the claimed limitation “wherein the project team tools include searching for public submissions in accordance with one or more of a keyword, a time of submission, an identifier, an idea, a theme, and a vision” as (paragraph [0320, 0321]).

As to claim 13, Nicastro teaches the claimed limitation “wherein the communications management module comprises: shared modular code; and means for responding to different browser implementations by invoking corresponding code” as (paragraph [0233], [0234]).

As to claim 14, Nicastro teaches the claimed limitation “wherein the communications management module further supports Web site maintenance by one or more of updating dynamic text areas, creating Web sites by using templates, handling multiple Web sites by using customizations of at least one shared feature, providing a separate address linked to a Web site for accepting public comments, providing a separate address for accepting comments, automatic font and color adjustments, and supporting substantially unlimited number of active pages” as (paragraph [0343]).

As to claim 16, Nicastro teaches the claimed limitation “wherein the communication management module enables one or more of a public agency, a quasi public agency and an enterprise to manage public comments, managing comments from a select audience, support one or more teams of consultants, agency staff, stakeholder organizations relevant to one or more projects at the same time” as (paragraph [0343]).

As to claim 17, Nicastro teaches the claimed limitation “ wherein the communication management module provides one or more of a public agency, a quasi public agency and an enterprise electronic project management with work-flow, document and image management, content management, Web-site management, and reporting technologies” as (paragraph [0072]).

As to claim 18, Nicastro teaches the claimed limitation “wherein access is provided at a plurality of levels” as (paragraph [0100]).

As to claim 19, Nicastro teaches the claimed limitation “wherein the plurality of access levels include User Manager for adding and assigning users to projects, Project Manager for creating new projects and having full access to the communications management module, and Team Member for having access to a limited number of modules with read/update privileges” as (paragraph [0100, 0239]).

As to claim 20, Nicastro teach the claimed limitation “a public website maintenance interface for providing access to one or more of project overview, a timeline, a document repository, an events calendar, an image manager, a public comment manager module, and a survey module” as project over view (fig. 1)

As to claim 21, Nicastro teaches the claimed limitation “wherein the communications management module can access the public website maintenance interface via a project site maintenance interface” as (paragraph [0037]).

As to claim 22, Nicstro teaches the claimed limitation “wherein the public comment module includes providing a submitter with one or more of an option of being notified of additional developments and participating in at least one survey” as (paragraph [0162]).

As to claim 23, Nicastro teaches the claimed limitation “comprising modules for one or more of general information about a project, project goals, a project team, public documents, public notices, an image resource library, a project calendar, a project showcase, and a public comment module with one or more of a notification and survey functionality” as (paragraph [0100]).

As to claim 41, Nicastro teaches the claimed limitations:

“providing a communications manager application on a server computer having an information module, a project team tools module” as (paragraph [0228, 0229]);

“a communication tools module” as (paragraph [0231, 0232]);

“a site management tools module” as (paragraph [0292, 0293]);

“for a first group of users to remotely access the communications manager application” as (fig. 3A, paragraphs [0098, 0100]);

“allowing the second group of users to create , post or revise a proposal of public interest” as (paragraph 0207, 0237);

“providing an access to the communication manager application for a second group of users, wherein the second group of users acts in a capacity associated with managing the public involvement project” as (fig. 3A, paragraphs [0100, 0098]);

“receiving one or more comments from the first group of users” (paragraph 0207, 0237);

“reviewing the one or more comments” as (paragraph 0207, 0237).

Nicastro does not explicitly teach “providing a secure web portal; wherein the first group of users acts in a capacity not associated with managing the public involvement project”.

Rosnow teaches a secure web portal for users are only permitted to create, edit, and view projects for a project in their respective division. A special group of users e.g., upper management, are allowed to view all projects across all divisions (fig. 6, paragraph 234).

For the above reason, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Rosnow teaches a secure web portal for users are only permitted to create, edit, and view projects for a project in their respective division. A special group of users e.g., upper management, are allowed to view all projects across all divisions to Nicastro's system in order to control communication among users without time-conflicted for enhancements and improvements in a functions, applications, tools, systems, and other solutions that respond to the circumstances associated with work groups and their work, control the access of the client to the system resources after the system sorts the users access by the information entered at an authentication screen.

Claims 44 is rejected under the same basis as discussed in claim 2

Claim 45 is rejected under the same basis as discussed in claim 6.

Claims 46 is rejected under the same basis as discussed in claim 7

Claims 47 is rejected under the same basis as discussed in claim 8.

13. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter "Nicastro") (US 2004/0015367) in view of Rosnow and further in view of Chemtob (US 7124164).

As to claim 7, Nicastro does not explicitly teach the claimed limitation "wherein the communications tool module provides one or more of web conferencing and message board".

Chemtob teaches message boards and web conferencing (fig. 5A, 3A, col. 8, lines 45-67; col. 9, lines 1-7).

For the above reason, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Chemtob's teaching of message boards and web conferencing to Nicastro's system in order to allow user to stay at their workstations when attending meetings, thereby saving time, travel costs, and office expenses (col. 7, lines 15-25).

14. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter "Nicastro") (US 2004/00153670 in view of Rosnow and further in view of Julio Estrada (or hereinafter "Estrada") (US 2003/0135565).

As to claim 15, Nicastro does not explicitly teach the claimed limitation "wherein work product is published on a Website substantially concurrently with its generation to invite comments to complete a feedback loop". Estrada teaches a message that includes the invitation may have a subject reading such as Welcome to the project, however, the message is filled automatically into the folder for the project, which the user is invited to participate. When a new participant joins a project, he or she may need to initialize their copy of the project space with the current contents of the project workspace. The above information indicates the invited user response to the inviting message (paragraph [0113, 0115]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Estrada's teaching of a message that includes the

invitation may have a subject reading such as Welcome to the project, however, the message is filled automatically into the folder for the project which the user is invited to participate. When a new participant joins a project, he or she may need to initialize their copy of the project space with the current contents of the project workspace to Nicastro's system in order to invite any user to participate a new project via email system quickly.

15. Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter "Nicastro") (US 2004/00153670 in view of Rosnow and further in view of Sellers.

As to claim 42, Nicastro does not explicitly teach the claimed limitation "generating a modified proposal based upon receiving the one or more comments".

Sellers teaches using the blanket Purchase Order Maintenance conversation is used to maintain blanket orders. The blanket purchase order is a formal agreement with a vendor to provide a specified quantity of material at agree-upon prices over a specified period of time. This conversation may also be used to enter text describing the terms of a blanket purchase order. Included standard pieces of text and enter special terms and comments. These terms and comments print on the blanket purchase order. The above information indicates that the blanket purchase order is modified based on conversion or comments in following time sequence (col. 70, lines 40-61).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply seller's teaching to Nicastro's system in order to update a project or profile based on user's requirement without conflicting.

As to claim 43, Nicastro does not explicitly teach the claimed limitation "recreating, reposting or revising the proposal of public interest".

Sellers teaches using the blanket Purchase Order Maintenance conversation is used to maintain blanket orders. The blanket purchase order is a formal agreement with a vendor to provide a specified quantity of material at agree-upon prices over a specified period of time. This conversation may also be used to enter text describing the terms of a blanket purchase order. In clued standard pieces of text and enter special terms and comments. These terms and comments print on the blanket purchase order. The above information indicates that the blanket purchase order is modified based on conversion or comments in following time sequence (col. 70, lines 40-61).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply seller's teaching to Nicastro's system in order to update a project or profile based on user's requirement without conflicting.

16. Claim 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicastro et al (or hereinafter "Nicastro") (US 2004/00153670 in view of Rosnow and further in view of Chappel et al (or hereinafter "Chappel") (US 20030101089 A1).

As to claim 42, Nicaastro does not explicitly teach the claimed limitation "generating a modified proposal based upon receiving the one or more comments".

Chappel teaches modifying project based on receiving feedback (paragraph 0036).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Chappel's teaching of modifying project based on receiving feedback to update a project or profile based on user's requirement without conflicting.

As to claim 43, Nicaastro does not explicitly teach the claimed limitation "recreating, reposting or revising the proposal of public interest".

Chappel teaches modifying project based on receiving feedback (paragraph 0036).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Chappel's teaching of modifying project based on receiving feedback to Nicaastro's system in order to update a project or profile based on user's requirement without conflicting.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

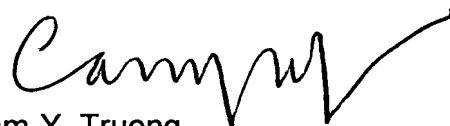
Cannata et al (US 20050010640 A1).

Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cam-Y Truong
Primary Examiner
Art Unit 2162
8/19/2007